

~~DEPARTMENT~~ Attorney General-MPCA

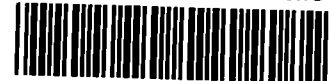
Office Memorandum

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DATE 5/20/80

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515055

FROM : STEPHEN SHAKMAN
Special Assistant
Attorney General

PHONE:

SUBJECT. Meeting with Federal Attorneys Scheduled for May 22, 1980:
Major Elements of Affirmative Case by Governmental
Plaintiffs, Expertise Necessary for Establishing These
Elements, and Expertise Available or to be Sought

001850

ELEMENT

EXPERTISE NEEDED

EXPERTISE AND DATA NOW
AVAILABLE

RECOMMENDED ACTION

Nature of Company's operations and discharges to land, surface water, and groundwater.

Engineer or chemist who can explain distillation of coal tar in general and can learn details of Company's distillation facility from discovery and investigation materials.

Personnel: U.S.G.S. hydrologist who has done some study of refining process and discharges.

City Sanitarian who visited company and filed memo on refining process. Retired City Superintendent, other employees.

Former Company plant manager or other employee versed in technical operation, state employees and former employees who visited facility when it was operating.

Documents: Documents produced by Company. Only 1/2 have been produced and those were briefly scanned but have not been organized.

Notes of visits by City sanitarian and State environmental staff. Generally quite limited in nature.

Report of U of M chemical engineering student, James Bailey, on nature of operations.

Outline of operations in U.S.G.S. draft report, Barr report, Oak Park Village environmental assessment and other consultant reports.

Textbook description of coal tar refining industry.

Consult EPA for persons who have worked on development documents for coal tar refining industry.

Contact engineering school for faculty who know, or could readily learn, coal-tar refining process.

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LEMENT

EXPERTISE NEEDED

EXPERTISE AND DATA NOW AVAILABLE

RECOMMENDED ACTION

Extent and Movement of
Coal Tar Contamination
in Soil and Groundwater

Geohydrologist or geochemist who can tie groundwater contamination to Reilly Tar facility. This witness(es) must also explain objectives, methods, results, hypotheses and conclusions of U.S. Geological Survey project, relevant data from prior hydrologic and geologic studies, and well abandonment program.

Personnel: Marc Hult, U.S. Geological Survey, hydrologist in charge of St. Louis Park project. Hult has worked on this study exclusively for almost two years and has detailed knowledge of groundwater situation which cannot be matched.

Olaf Pfannkuch, U of Minnesota professor under contract to U.S. Geological Survey to perform lab studies of interactions of contaminants in soil.

Allan Gebhardt, principal of major local consulting engineering firm which performed 1975-77 Barr Study of groundwater problem, and supporting staff.

Newly retained consultants to study remedial design measures. Firms of E.A. Hickok (Wayzata, MN.), Geraghty & Miller (Syosset, N.Y.) & Hennington, Durham & Richardson (Omaha). Called "Hickok Group."

Bill Scrutin, James Maki & Russ Frazier, present & former lab personnel at Health Dept.; William O'Connor and Steve Vanderboom, private lab analysts employed in Barr study; EPA lab personnel who have performed or reviewed analyses; U.S. Geological Survey lab personnel.

Develop working arrangement with U.S. Geological Survey which will enable Hult, and others as necessary, to consult on trial preparation and to be trial witness.

Enter necessary contracts for expert testimony with Hickok Group and Allan Gebhardt.

Determine kind and amount of testimony which will be needed from laboratory personnel.

LEMENT

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RECOMMENDED ACTION

continued)

Gary Englund, Jim Nye, and
Ed Ross, Health Dept.
personnel concerned with
well abandonment.

Documents:
U.S. Geological Survey draft
preliminary report (1979).

Barr Reports Phase I and II
(1977, 1976)

Health Department Report on
Phenol Problem in Wells (1974)

Minn. Geological Survey Report
on Geology of St. Louis Park
Area (1974).

Background data on groundwater
quality.

St. Louis Park Health Dept.
Assemblage of Analytical Data (1972).
Hickok and other studies for
St. Louis Park (1969-71)
Older Health Dept. water supply
data, if pertinent.

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RECOMMENDED ACTION

. Risks to Health and
Environment

Toxicologist/pathologist to explain animal, lab, and other studies showing risks to human from ingestion of coal tar derivative substances, as found in St. Louis Park groundwater.

Epidemiologist to review and interpret current Health Dept. epidemiological study of breast cancers. Research and explain other applicable epidemiological investigations, and explain time delay between exposures to carcinogens and reporting of additional cancers.

Personnel:

Toxicology
EPA Office of Water Planning and Standards, Criteria and Standards Division, authors of November, 1979, health assessment on PAH compounds in drinking water.

David Gray, Larry Gust and Health Risk Assessment Unit at Health Dept.

Epidemiology:

Dr. Leonard M. Schuman, professor of Epidemiology and program director, School of Public Health, U. of Minnesota.

Dr. Andrew G. Dean, director of Health Department Disease Prevention and Control Unit who oversees current breast cancer study.

Contact authors of EPA health assessment for possible witness(es)

Contact medical experts from U of Minnesota, Naylor-Dana Institute, and National Institute for Environmental Health Sciences for possible witness(es).

Pursue further discussions with Dr. Schuman or possibility of his testimony.

Contact medical experts from EPA Health Effects Research Laboratory, National Cancer Institute, and National Institute for Environmental Health Sciences for possible witness(es).

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RECOMMENDED ACTION

(III Continued)

Documents:

Health Department's "Health
Implications of Polynuclear
Aromatic Hydrocarbons in St.
Louis Park Drinking Water" (1978)

Health Department's
"Assessment of Possible Human
Health Effects Resulting from the
Contamination of the Former
Republic Creosote Site" (1977)

Health Department Well Water
Monitoring Program Data for St.
Louis Park and other communities
in southern and western Hennepin
County.

Health Department's Preliminary
Survey of Cancer Rates in St. Louis
Park (1979)

EPA Criteria Document on PAH in
Drinking Water (1979)

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ELEMENT	EXPERTISE NEEDED	EXPERTISE AND DATA NOW AVAILABLE	RECOMMENDED ACTION
IV. Abatement and Interim Measures to Protect Public Health	Experts in groundwater gradient control, ground water treatment/disposal, soil excavation, soil treatment/disposal. Also water supply designers and engineers to explain how to assure a continued supply of safe drinking water.	<p data-bbox="846 207 993 228"><u>Personnel:</u></p> <p data-bbox="846 256 1472 524">The Hickok Group (described in II above) will be studying all abatement possibilities over the next 14 months. It will also work with the U.S. Geo- logical Survey on refinement of ground- water models. The Hickok Group is also conducting an experimental project for St. Louis Park in the summer of 1980 seeking an effective means for removing PAH compounds from drinking water wells which have been closed.</p> <p data-bbox="846 557 1549 703">Gordy Meyer, Land Applications Supervisor, heads a Pollution Control Agency team to research effluent standards for barrier well discharges. Several possible standards will be proposed to the Hickok Group for consideration of possible treatment mechanisms.</p> <p data-bbox="846 735 1566 898">Richard Koppy, St. Louis Park Public Works Director, is currently exploring with the City of Minneapolis the possibility of supplying water to portions of St. Louis Park through a hook-up to the Minneapolis water system. Minneapolis draws its water from the Mississippi River.</p> <p data-bbox="846 930 999 951"><u>Documents:</u></p> <p data-bbox="846 979 1371 1023">Hickok Group proposal to the Health Department (1980)</p>	<p data-bbox="1486 256 1883 329">Enter necessary contract for expert testimony with Hickok Group.</p> <p data-bbox="1486 362 1883 451">Inquire of EPA about similar problems elsewhere (e.g. Visalia, California; Ames, Iowa)</p>